JAN 2 0 2006 PTO/SB/21 (09-04) Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE representation of the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB confre number. **Application Number** 09/831,621 TRANSMITTAL Filing Date IAN 2 4 2006 May 10, 2001 First Named Inventor **FORM** BAUM et al. OFFICE OF PETITIONS Art Unit To be determined **Examiner Name** To be determined (to be used for all correspondence after initial filing) **Attorney Docket Number** NEU-00119.P.1 36 **Total Number of Pages in This Submission ENCLOSURES** (Check all that apply) After Allowance Communication to TC • Fee Transmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC Petition Amendment/Reply (Appeal Notice, Brief, Reply Brief) Petition to Convert to a Proprietary Information After Final **Provisional Application** Power of Attorney, Revocation Status Letter Affidavits/declaration(s) **Change of Correspondence Address** Other Enclosure(s) (please Identify Terminal Disclaimer **Extension of Time Request** below): 1. Copy of Acceptance of Power of Attorney Request for Refund **Express Abandonment Request** 2. Response to Notification of Missing Req. 3. Declaration CD, Number of CD(s) Information Disclosure Statement 4. Sequence Listing (paper and diskette) Landscape Table on CD Certified Copy of Priority Remarks Document(s)

Also enclosed. Reply to Missing Parts/ 1 Statement under 37 CFR 1.821 Incomplete Application **Reply to Missing Parts** 6. Postcard under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name David R. Preston & Associates. Signature Printed name David R. Preston Date Reg. No. 38,710

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name Reza Savari

Reza Savari

Date

-17-06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/64 (07-05)

PETITION FOR REVIVAL OF AN APPLICATION ABANDONED UNINTENTIONALLY UNDE	Docket Number (Optional) NEU-00119.P.1	
First named inventor: BAUM et al.		#10
Application No.: 09/831,621	Art Unit: To be	e determined
Filed: May 10, 2001	Examiner: To	be determined
Title: NOVEL DNAs AND POLYPEPTIDES		
	RECEIVED	RECEIVED
Attention: Office of Petitions Mail Stop Petition Commissioner for Patents	2 2 FEB 2006	JAN 2 4 2006
P.O. Box 1450 Alexandria, VA 22313-1450 FAX (571) 273-8300	Legal Staff International Division	OFFICE OF PETITIONS
NOTE: If information or assistance is no Information at (571) 272-3282.	eeded in completing this form	n, please contact Petitions
The above-identified application became abandone action by the United States Patent and Trademark C date of the period set for reply in the office notice or	office. The date of abandonm	ent is the day after the expiration
APPLICANT HEREBY PETITION	S FOR REVIVAL OF THIS A	APPLICATION
NOTE: A grantable petition requires the (1) Petition fee; (2) Reply and/or issue fee; (3) Terminal disclaimer with disc filed before June 8, 1995; an (4) Statement that the entire del	laimer fee - required for all u d for all design applications;	•
1.Petition fee Small entity-fee \$ 750.00 (37 CFR 1.17(m)). Applicant claims small en	tity status. See 37 CFR 1.27.
Other than small entity – fee \$	_ (37 CFR 1.17(m))	
2. Reply and/or fee A. The reply and/or fee to the above-noted the form of Declaration and Sequence Listing has been filed previously on is enclosed herewith.	(paper copy and diskette) (ide	entify type of reply):
B. The issue fee and publication fee (if application has been paid previously on is enclosed herewith.		•

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/64 (07-05)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee									
Since this utility/plant application was filed on or after	June 8, 1995, no terminal disclaimer is required.								
,	A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ for a small entity or \$ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).								
4. STATEMENT: The entire delay in filing the required reply filing of a grantable petition under 37 CFR 1.137(b) was ur Trademark Office may require additional information if ther abandonment or the delay in filing a petition under 37 CFF subsections (III)(C) and (D)).]	intentional. [NOTE: The United States Patent and e is a question as to whether either the								
WARNING: Information on this form may become pincluded ஒரு this form. Provide credit card informat									
XII	1-11-01								
Signature									
Dr. Warren Young									
Typed or printed name	Registration Number, if applicable								
Neurome, Incorporated	858-677-0466								
Address	Telephone Number								
11149 North Torrey Pines Rd. Suite 100, San Diego, CA 92033 Address Enclosures: Fee Payment Reply	<u>-1031</u>								
Terminal Disclaimer Form									
Additional sheets containing statements e	stablishing unintentional delay								
Other: Declaration, Sequence Listing (paper copy	and diskette), and Postcard								
CERTIFICATE OF MAILING OR TRA	NSMISSION [37 CFR 1.8(a)]								
I hereby certify that this correspondence is being: Deposited with the United States Postal Service postage as first class mail in an envelope address Patents, P. O. Box 1450, Alexandria, VA 22313	essed to: Mail Stop Petition, Commissioner for								
Transmitted by facsimile on the date shown be Office as (571) 273-8300.	low to the United States Patent and Trademark								
1-17-06	Land -								
Date	Signature								
	Roga Salari								
Typed	or printed name of person signing certificate								

PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006, OMB 0651-0032

Under the Paperwork Repairtion Act of	1995 no i	persons are required to re	U.S. Patent and Transport to a collection of info	ademark Office; U.S. DEPARTMENT OF COMMERCE rmation unless it displays a valid OMB control number			
Effective on 12	/08/2004.		Complete if Known				
FEE TRAN	ropriations	Act, 2005 (H.R. 4818).	Application Number	09/831,621			
PEE IRAN	12 IA	IIIIAL	Filing Date	May 10, 2001			
For FY	200	5	First Named Inventor	BAUM et al.			
Applicant claims small antibus	totus Ce	27 CED 1 27	Examiner Name	To be determined			
Applicant claims small entity s	Tatus. Se	e 37 CFR 1.27	Art Unit	To be determined			
TOTAL AMOUNT OF PAYMENT	(\$)	750.00	Attomey Docket No.	NEU-00119.P.1			
METHOD OF PAYMENT (chec	k all tha	t apply)					
Check Credit Card	\Box_{Mon}	ey Order Nor	ne Other (please in	dentify):			
Deposit Account Deposit Account Number: 501321 Deposit Account Name: David R. Preston & Assoc.							
For the above-identified dep	osit acco	unt, the Director is her	reby authorized to: (chec	k all that apply)			

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee Charge any additional fee(s) or underpayments of fee(s) Credit any overpayments under 37 CFR 1.16 and 1.17 WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1.	BASIC	FILING,	SEARCH,	AND	EXAMIN	ATION	FEES
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		FEES Small Entity	SEARC	H FEES Small Entity		TION FEES Small Entity	
Application Type	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	Fee (\$)	<u>Fee (\$)</u>	Fee (\$)	Fees Paid (\$)
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	<u> </u>
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIN	1 FEES				Small Entity
Fee Description				<u>Fee (\$)</u>	Fee (\$)
Each claim over	20 (including Reissu	ies)		50	25
Each independe	nt claim over 3 (inclu	ding Reissue	es)	200	100
Multiple depend	lent claims	C	•	360	180
Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple D	ependent Claim

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Der	endent Claims
20 or H	P = x		=	<u>Fee (\$)</u>	Fee Paid (\$)
HP = highest number of	total claims paid for, if gre	eater than 20.			
<u>Indep. Claims</u>	Extra Claims	<u>Fee (\$)</u>	Fee Paid (\$)		
2 or UD			_		

- 3 or HP = ____ x ___ = __ HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/	50 = (round up to a whole number) x	=	
4. OTHER FEE(S)				Fees Paid (\$)
Non-English Specifi	cation. \$130 fe	ee (no small entity discount)		
Other (e.g., late fill)	g surcharge): Pet	ition to revive unintentionally abandoned application	<u> </u>	\$750.00

SUBMITTED BY				
Signature	1	Dock	Registration No. (Attorney/Agent) 38,710	Telephone 858-724-0375
Name (Print/Type)	David R. Pr	reston		Date 1/17/06

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Fees Paid (\$)

JAN 2 0 2006	Engl Act of 199	 95 <u>no persons are</u>	required to res	U.S. Paten bond to a collectic	it and Tradem	nark Office; U.S. DE	PTO/SB/17 (12-04v2) th 07/31/2006. OMB 0651-0032 EPARTMENT OF COMMERCE ws a valid OMB control number
Fees pursuant to the consolid	7					mplete if Knov	
				Application Nur	mber 09)/831,621	
FEE TR	AN		AL	Filing Date	Ma	ay 10, 2001	
Fo	r FY 2	2005	L	First Named Inv	ventor B/	AUM et al.	
Applicant claims small	L ontitu stati		1 27	Examiner Name	e To	be determined	d
		·	1.21	Art Unit	To	be determined	đ
TOTAL AMOUNT OF PAY	MENT (S	\$) 750.	.00	Attorney Docke	et No. NE	EU-00119.P.1	
METHOD OF PAYMEN	T (check a	all that apply)					
Check Credit Card Money Order None Other (please identify): Deposit Account Deposit Account Number: 501321 Deposit Account Name: David R. Preston & Assoc. For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) Charge fee(s) indicated below Charge any additional fee(s) or underpayments of fee(s) Under 37 CFR 1.16 and 1.17 WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. FEE CALCULATION							
1. BASIC FILING, SEAF	•		ON FEES				
		FEES Small Entity	SEARC	CH FEES Small Entity	EXAMIN	NATION FEES Small Entity	
Application Type	<u>Fee (\$)</u>	Fee (\$)	<u>Fee (\$)</u>		<u>Fee (\$)</u>		Fees Paid (\$)
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	·
Provisional	200	100	0	0	0	0	
2. EXCESS CLAIM FEES Fee Description Each claim over 20 (including Reissues) Small Entity Fee (\$) Fee (\$) 50 25							

Fee Description				<u>Fee (\$)</u>	Fee (\$)
Each claim over 20	(including Reissu	es)		50	25
Each independent	claim over 3 (includ	ding Reissu	es)	200	100
Multiple dependen	t claims			360	180
Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dep	endent Claims
- 20 or HP	= x			<u>Fee (\$)</u>	Fee Paid (\$)
HP = highest number of to	otal claims paid for, if gre	ater than 20.			
<u>Indep. Claims</u>	Extra Claims	<u>Fee (\$)</u>	Fee Paid (\$)		· · · · · · · · · · · · · · · · · · ·
3 or HP =	=x		=		
HP = highest number of in	idependent claims paid fo	or, if greater th	an 3.		
3. APPLICATION SIZ					
If the specification a	nd drawings exceed	i 100 sheets	s of paper (excluding electr	conically filed sequence	ce or computer
listings under 37	CFR 1.52(e)), the a	application	size fee due is \$250 (\$125	for small entity) for e	ach additional 50
sheets or fraction	thereof. See 35 U	.S.C. 41(a)	(1)(G) and 37 CFR 1.16(s).	•	
Total Sheets	Extra Sheets		<u>r óf eách additional 50 or frá</u>		Fee Paid (\$)
- 100	= /!	50 =	(round up to a whole	number) x	=

Other (e.g., late filing surcharge): Petition to revive unintentionally abandoned application						
SUBMITTED BY	V	11				
Signature			-)	AL.	Registration No. (Attorney/Agent) 38,710	Telephone 858-724-0375
Name (Print/Type) David	R. Pr	reston	•		Date 1/17/10C

Non-English Specification, \$130 fee (no small entity discount)

4. OTHER FEE(S)

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.





Patent

Docket Number: NEU-00119.P.1

In re application of:)
BAUM et al.) Examiner: To be determined
Application No.: 09/831,621) Art Unit: To be determined
Filed: May 10, 2001)
For: NOVEL DNAs AND	RECEIVED
POLYPEPTIDES	JAN 2 4 2006
Commissioner for Patents	THE OF DETITIONS
P.O. Box 1450	OFFICE OF PETITIONS
Alexandria, VA 22313-1450	

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137 (b)

Sir:

Applicants are responding to the Notification of Missing Requirements mailed on August 13, 2001, notifying Applicants that a proper Oath or Declaration along with computer readable form of the Sequence Listing must be provided. Applicants submit herewith, a previously signed copy of the Declaration along with a copy of the Sequence Listing in paper copy and computer readable format, along with a Statemen under 35 C.F.R. § 1.821. Please note that the Declaration was signed in 2001 and a new Power of Attorney was accepted by the USPTO in 2005 as shown in the enclosed Notice of Acceptance of Power of Attorney.

Applicants also submit herewith, a Petition for Revival of an Application for Patent Abandoned Unintentionally under 37 CFR §1.137(b), along with a fee of \$750.00.

Please apply any charges not covered, or any credits, to <u>Deposit Account 501321</u> in the name of David R. Preston & Associates having <u>Customer No.: 24232</u>.

Respectfully submitted,

Date: <u>Jan 17,200</u>6

David R. Preston

Reg. No. 38,710

David R. Preston & Associates, A.P.C. 12625 High Bluff Drive Suite 205 San Diego, CA 92130

Telephone: 858.724.0375 Facsimile: 858.724.0384



DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

Case No.: 98,664-B

RECEIVED

JAN 2 4 2006

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

OFFICE OF PETITIONS

I-believe I-am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Novel DNAs and Polypeptide

the specification of which is attached hereto unless the following space is checked:

 \boxtimes was filed on May 10, 2001 (I.A. Filing Date: November 10, 1999) as United States Application Serial Number 09/831,621.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s):

<u>Number</u>

Country

Day/Month/Year Filed

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Number

Filing Date

1. 60/107,821

November 10, 1998

2.

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Application Number

Filing Date

Status: patented, pending, abandoned

1.

PCT/US99/26788

November 10, 1999

Abandoned

2.

I hereby appoint the practitioners associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and I direct that all correspondence be addressed to that Customer Number.

Customer Number: 020306

Principal attorney or agent: Roger P. Zimmerman

4626

LL BOEHNEN **BERGHOFF** OUTH WACKER DRIVE 4GO, ILLINOIS 60606 HONE (312) 913-0001

Telephone number: 312-913-0001

Full name of fourth joint neptor Adel Youakim

Post Office Address: 1940 Bonair Dr. S.W., Seattle, Washington 98116

Inventor's signature:

Citizenship: Canada

Residence: Seattle, Washing on

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Peter Robert Baum Inventor's signature: Residence: Seattle, Washington Citizenship: United States of America Post Office Address: 6027 34th Avenue N.E., Seattle, Washington 9811	Date: 10.3.200
Full name of second joint inventor: Robert Finley DuBose Inventor's signature: Marking Market Mashington Residence: Bellevue, Washington Citizenship: United States of America Post Office Address: 6151 156th Place Southeast, Bellevue, Washington	Date: 10-2-2001
Full name of third joint inventor: John E. Sims Inventor's signature:	Date: (0-2-2001
Residence: Seattle, Washington Citizenship: United States of America Post Office Address: 4207 43 rd Avenue Northeast, Seattle, Washington	

- 2 -

Date: 10.2.2001

c

Full name of fifth joint inventor: Karl W. Hasel

Inventor's signature:

Date:

Residence: Solana Beach, California

Citizenship: Switzerland

Post Office Address: 247 South Nardo Avenue, Solana Beach, California 92075

Full name of fourth joint inventor: Brian S., Hilbush

Inventor's signature:

Residence: San Diego, California Citizenship: United States of America

Post Office Address: 5690 Willowmere Lane, San Diego, California 92130

4628





United States Patent and Trademark Office

FORM PCT/DO/EO/905 (March 2001)

Commissioner for Patents, Box PCT United States Patent and Trademark Office Washington, D.C. 20231

U.S. APPLICATION NO.		FIRST NAMED A	PLICANT	ATTY, DOCKET NO.
09/831621	. 1	BAUM	Р	98,664-B
			DITERN	ATIONAL APPLICATION NO.
ROGER P ZIMMER MCDONNELL BOEI 300 SOUT WACKEI SUITE 3200 CHICAGO, IL 60600	HNEN HULI R DRIVE	BERT & BERGHOFF	- I.A. FILING	
		•	l	1 9 1110 2001
			DATE M	_ ,,,
NOTIFICATIO	N OF MIS	SING REQUIREMENTS	UNDER 35 U.S.C.	371 IN THE UNITED
	STATES	DESIGNATED/ELECTI	ED OFFICE (DO/EO	/US)
1. The following item	s have been s	submitted by the applicant or the	B to the United States Pate	nt and Trademark
Office as a U.S. Basic		Office (37 CFR 1.494) R an El	of Small Entity Status.	<i>.</i>
— Caran as ab		al application. Translation	of the international applica	tion into English.
P	eclaration of		of Article 19 amendments	
<u>.</u> .,	rticle 19 amo	·-		
Priority D				
The Intern	ational Prelim	ninary Examination Report in En	glish and its Annexes, it an	y. .atiob
_	•	to the International Preliminary		
2. m Applicant has re	quested early	processing under 35 U.S.C. 371	(f) but has not filed the following	owing indicated items and/or
the indicated items in p	aragraph 3 b	elow. The Basic National Fee an	d the copy of the internatio	nal application must be filed
		riority date to avoid abandonmen	t. e international application.	
U.S. Basin	C Nauonai re	e	E IIIIEIIIAUQUAI approximi	
accentance under 35 U	.S.C. 371:	iurnished within the period set for		
a. Transla	ition of the ap	plication into English. A proces	sing fee will be required if	submitted
later The	than the app	ropriate 20 or 30 months from the ation is defective for the reasons	e priority date. Indicated on the attached N	intice of Defective
	current transi islation.	Spoil is deternate to the temori-	more on the transfer	
b. Process	sing fee for p	roviding the translation of the app		s later than the
appr	opriate 20 or	30 months from the priority date	(37 CFR 1.492(f)).	A second identifying
(X) c. Oath of	r declaration (polication (p	of the inventors, in compliance w referably by the International app	lication number and interna	tional filing date). A
surc	harge will be	required if submitted later than t	he appropriate 20 or 30 mo	nths from the priority
date.		or declaration does not comply w	ith 37 CFR 1.497(a) and (b	n) for the reasons
indic	cated on the a	ttached PCT/DO/EO/917.		
d. Surcha	rge for provi	ding the oath or declaration later	than the appropriate 20 or 3	30 months from the
prio:	rity date (37	CFR 1.492(e))as a large entity	small entity including any	required multiple dependent
claim fee, are required due (37 CFR 1.492(g))	1. Applicant). See attach	must submit the additional claim ed PTO-875.	fees or cancel the additiona	I claims for which fees are
5. [m] Applicant has no PCT/DO/EO/920.	ot submitted (the required sequence listing purs	uant to 37 CFR 1.821-1.82	5. See attached
MONTHS FROM TI	HE DATE O TE FOR TE	TH IN 3(a)-3(d), 4 AND 5 ABO F THIS NOTICE OR BY 22 OF IE APPLICATION, WHICHEY BANDONMENT.	R 32 MONTHS (where 37	CFR 1.495 applies) FRUM
The time period set ab 1.136(a).	ove may be o	extended by filing a petition and f	ee for extension of time un	der the provisions of 37 CFR
A will be cause	elled. A proc amendments	instation of the Annexes MUST be essing fee will be required if substance cancelled since a translation worm the priority date.	mitted later than 20 or 30 m	ionths from the priority date.
Applicant is reminded address given in the h	that any correading and in	munication to the United States I clude the U.S. application no. sh	Patent and Trademark Officown above. (37 CFR 1.5)	e must be mailed to the
4	A copy of	f this notice MUST be r	eturned with this re	sponse. /
Enclosed: PCT/D	O/EO/917	Notice of Defective	Translation	~ 11.1
D blo-8	75	PCT/DO/EO/920	SHELBY VIGIL,PA	RALEG 5
FORM PCT/DO/EO/	905 (March 2	2001)	Telephone: 703-305-36	53
A CHARLE CALLED	/	· •		. •

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 2021

	FIRST NAMED APPLICAN	T		ATTY, DOCKET NO.
J.S. APPLICATION NO.	BAUM	Р .		98,664-B
09/831621		DATE	INTERNATIONAL APPLICATION NO.	
ROGER P ZIMMERMAN MCDONNELL BOEHNEN HULBERT & BERGHOFF		F	PCT/US9	9/26788
100 SOUT WACKER DRIVE		LA. FILIN	IG DATE	PRIORITY DATE
SUITE 3200 CHICAGO, IL 60606	· ·	10 NO	V 99	10 NOV 98

NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

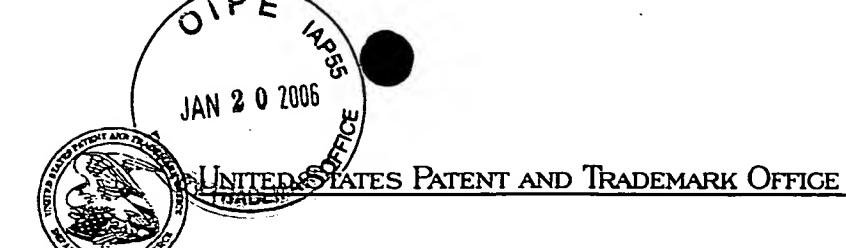
Applicant has submitted papers under 35 U.S.C. 371 to enter the national stage in the United States of America. The items indicated below, however, are missing. The period within which to correct the deficiency noted below and avoid abandonment is set forth in the accompanying Notification.

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

	The application fails to comply with the requirements of 37 CFR 1.821-1.825.
	This application does not contain, a "Sequence Listing" as a separate part of the
	which is a second or compact disc, as required by 37 CFR 1.821(c).
	A copy of the "Sequence Listing" in computer readable format has not been submitted as
	A copy of the "Sequence Listing" in computer readable form has been submitted. The
	content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw
	Sequence Listing."
•	Sequence Listing. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d). The paper copy or compact disc of the "Sequence Listing" is not the same as the
	computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
	•
	Other:
è	
P	LICANT MUST PROVIDE:
	LICANT MUST PROVIDE: An initial or substitute computer readable form (CRF) of the "Sequence Listing." as well as a
	An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as a
	amendment directing its entry into the specification. A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).
	QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE
A1	L: (703) 308-4216, for Rules interpretation,
	(703) 308-4212, for CRF submission help,
	(703) 287-0200, for PatentIn software help.
	$\sim 10^{-6} M_\odot$

SHELBY VIGIL, PARALEG
Telephone: 703-305-3653

FORM PCT/DO/EO/920 (March 2001)



NEU-\$119.7.1

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450

Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NUMBER

FILING OR 371 (c) DATE

FIRST NAMED APPLICANT

ATTY. DOCKET NO TITLE

09/831,621

05/10/2001

Peter R Baum

98,664-B

24232 DAVID R PRESTON & ASSOCIATES APC 12625 HIGH BLUFF DRIVE SUITE 205 SAN DIEGO, CA 92130 *OC00000016385642*
OC00000016385642

Date Mailed: 06/27/2005

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 05/09/2005.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

RECEIVED

JAN 2 4 2006

OFFICE OF PETITIONS

JAMES E/MASON 1600 (571) 272-0539

ATTORNEY/APPLICANT COPY

DECEIVE JUN-2 9 2005



Patent

Docket Number: NEU-00119.P.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

m re ap	prication of.)	
]	BAUM et al.)	Examiner: To be determined
Applica	tion No.: 09/831,621)	Art Unit: To be determined
Filed:	May 10, 2001)	
	NOVEL DNAs AND POLYPEPTIDES)))	

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 RECEIVED

JAN 2 4 2006

OFFICE OF PETITIONS

Sir:

STATEMENT UNDER 37 C.F.R. 1.821 THROUGH 1.825

In accordance with the requirements under 37 C.F.R. 1.821 through 1.825 for patent applications containing nucleotide sequence and/or amino acid sequence disclosures, Applicants submit herewith a Written Sequence Listing and corresponding Computer-Readable Form Sequence Listing for the above-identified application. The information recorded in Computer Readable Form is identical to the Written Sequence Listing.

Please apply any charges not covered, or any credits, to <u>Deposit Account 501321</u> in the name of David R. Preston & Associates having <u>Customer No.: 24232</u>.

Respectfully submitted,

Date: JAn 17, 2006

David R. Preston

Reg. No. 38,710

David R. Preston & Associates, A.P.C. 12625 High Bluff Drive Suite 205 San Diego, CA 92130

Telephone: 858.724-0375 Facsimile: 858.724-0384



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Met Ile Val Gln Met Thr Val Ile Leu Lys Leu Glu Met Pro Gln Asp 1 10 15

Ser Leu Ile Leu Glu Lys Ser Gln Asn Trp Ser Ser Gln Lys Met Asp 20 25 30

His Ile Leu Ile Cys Cys Val Cys Leu Gly Asp Asn Ser Glu Asp Ala 35 40 45

Asp Glu Ile Ile Gln Cys Asp Asn Cys Gly Ile Thr Val His Glu Gly 50 55 60

Cys Tyr Gly Val Asp Gly Glu Ser Asp Ser Ile Met Ser Ser Ala Ser 65 70 75 80

Glu Asn Ser Thr Glu Pro Trp Phe Cys Asp Ala Cys Lys Cys Gly Val

Ser Pro Ser Cys Glu Leu Cys Pro Asn Gln Asp Gly Ile Phe Lys Glu 100 105 110

Thr Asp Ala Gly Arg Trp Val His Ile Val Cys Ala Leu Tyr Val Pro 115 120 125

Gly Val Ala Phe Gly Asp Ile Asp Lys Leu Arg Pro Val Thr Leu Thr 130 135 140

Glu Met Asn Tyr Ser Lys Tyr Gly Ala Lys Glu Cys Ser Phe Cys Glu 145 150 155 160

Asp Pro Arg Phe Ala Arg Thr Gly Val Cys Ile Ser Cys Asp Ala Gly
165 170 175
Page 16

Met Cys Arg Ala Tyr Phe His Val Thr Cys Ala Gln Lys Glu Gly Leu Leu Ser Glu Ala Ala Ala Glu Glu Asp Ile Ala Asp Pro Phe Phe Ala Tyr Cys Lys Gln His Ala Asp Arg Leu Asp Arg Lys Trp Lys Arg Lys Asn Tyr Leu Ala Leu Gln Ser Tyr Cys Lys Met Ser Leu Gln Glu Arg Glu Lys Gln Leu Ser Pro Glu Ala Gln Ala Arg Ile Asn Ala Arg Leu Gln Gln Tyr Arg Ala Lys Ala Glu Leu Ala Arg Ser Thr Arg Pro Gln Ala Trp Val Pro Arg Glu Lys Leu Pro Arg Pro Leu Thr Ser Ser Ala Ser Ala Ile Arg Lys Leu Met Arg Lys Ala Glu Leu Met Gly Ile Ser Thr Asp Ile Phe Pro Val Asp Asn Ser Asp Thr Ser Ser Ser Val Asp Gly Arg Arg Lys His Lys Gln Pro Ala Leu Thr Ala Asp Phe Val Asn Tyr Tyr Phe Glu Arg Asn Met Arg Met Ile Gln Ile Gln Glu Asn Met Ala Glu Gln Lys Asn Ile Lys Asp Lys Leu Glu Asn Glu Gln Glu Lys Leu His Val Glu Tyr Asn Lys Leu Cys Glu Ser Leu Glu Glu Leu Gln Asn Leu Asn Gly Lys Leu Arg Ser Glu Gly Gln Gly Ile Trp Ala Leu Leu Gly Arg Ile Thr Gly Gln Lys Leu Asn Ile Pro Ala Ile Leu Arg Ala Pro Lys Glu Arg Lys Pro Ser Lys Lys Glu Gly Gly Thr Gln Lys Page 17

Thr Ser Thr Leu Pro Ala Val Leu Tyr Ser Cys Gly Ile Cys Lys Lys Asn His Asp Gln His Leu Leu Leu Leu Cys Asp Thr Cys Lys Leu His Tyr His Leu Gly Cys Leu Asp Pro Pro Leu Thr Arg Met Pro Arg Lys Thr Lys Asn Ser Tyr Trp Gln Cys Ser Glu Cys Asp Gln Ala Gly Ser Ser Asp Met Glu Ala Asp Met Ala Met Glu Thr Leu Pro Asp Gly Thr Lys Arg Ser Arg Arg Gln Ile Lys Glu Pro Val Lys Phe Val Pro Gln Asp Val Pro Pro Glu Pro Lys Lys Ile Pro Ile Arg Asn Thr Arg Thr Arg Gly Arg Lys Arg Ser Phe Val Pro Glu Glu Glu Lys His Glu Glu Arg Val Pro Arg Glu Arg Arg Gln Arg Gln Ser Val Leu Gln Lys Lys Pro Lys Ala Glu Asp Leu Arg Thr Glu Cys Ala Thr Cys Lys Gly Thr Gly Asp Asn Glu Asn Leu Val Arg Cys Asp Glu Cys Arg Leu Cys Tyr His Phe Gly Cys Leu Asp Pro Pro Leu Lys Lys Ser Pro Lys Gln Thr Gly Tyr Gly Trp Ile Cys Gln Glu Cys Asp Ser Ser Ser Ser Lys Glu Asp Glu Asn Glu Ala Glu Arg Lys Asn Ile Ser Gln Glu Leu Asn Met Glu Gln Lys Asn Pro Lys Lys

<210> 27

<211> 372

<212> PRT

<213> Homo sapiens

<400> 27

Met Ser Lys Ala Phe Gly Leu Leu Arg Gln Ile Cys Gln Ser Ile Leu 10 15

Ala Glu Ser Ser Gln Ser Pro Ala Asp Leu Glu Glu Lys Lys Glu Glu 25 30

Asp Ser Asn Met Lys Arg Glu Gln Pro Arg Glu Arg Pro Arg Ala Trp 35 40 45

Asp Tyr Pro His Gly Leu Val Gly Leu His Asn Ile Gly Gln Thr Cys 50 60

Cys Leu Asn Ser Leu Ile Gln Val Phe Val Met Asn Val Asp Phe Thr 65 75 80

Arg Ile Leu Lys Arg Ile Thr Val Pro Arg Gly Ala Asp Glu Gln Arg 85 90 95

Arg Ser Val Pro Phe Gln Met Leu Leu Leu Leu Glu Lys Met Gln Asp 100 105 110

Ser Arg Gln Lys Ala Val Arg Pro Leu Glu Leu Ala Tyr Cys Leu Gln 115 120 125

Lys Cys Asn Val Pro Leu Phe Val Gln His Asp Ala Ala Gln Leu Tyr 130 135 140

Leu Lys Leu Trp Asn Leu Ile Lys Asp Gln Ile Thr Asp Val His Leu 145 150 155 160

Val Glu Arg Leu Gln Ala Leu Tyr Met Ile Arg Val Lys Asp Ser Leu 165 170 175

Ile Cys Val Asp Cys Ala Met Glu Ser Ser Arg Asn Ser Ser Met Leu 180 185 190

Thr Leu Pro Leu Ser Leu Phe Asp Val Asp Ser Lys Pro Leu Lys Thr 195 200 205

Leu Glu Asp Ala Leu His Cys Phe Phe Gln Pro Arg Glu Leu Ser Ser 210 220

NEU-119.P.1, Sequence Listing Lys Ser Lys Cys Phe Cys Glu Asn Cys Gly Lys Lys Thr Arg Gly Lys 240 Gln Val Leu Lys Leu Thr His Leu Pro Gln Thr Leu Thr Ile His Leu 255 245 250 Met Arg Phe Ser Ile Arg Asn Ser Gln Thr Arg Lys Ile Cys His Ser 260 Leu Tyr Phe Pro Gln Ser Leu Asp Phe Ser Gln Ile Leu Pro Met Lys 275 280 285 Arg Glu Ser Cys Asp Ala Glu Glu Gln Ser Gly Gly Gln Tyr Glu Leu 290 Phe Ala Val Ile Ala His Val Gly Met Ala Asp Ser Gly His Tyr Cys 305 310 Val Tyr Ile Arg Asn Ala Val Asp Gly Lys Trp Phe Cys Phe Asn Asp 325 335 330 Ser Asn Ile Cys Leu Val Ser Trp Glu Asp Ile Gln Cys Thr Tyr Gly 340 350 Asn Pro Asn Tyr His Trp Gln Glu Thr Ala Tyr Leu Leu Val Tyr Met 355 360 365 Lys Met Glu Cys 370 <210> 28 <211> 71 <212> PRT <213> Homo sapiens <400> 28

Met Ala Ala Leu Leu Pro Ser Gly Gln Asn Trp His Asn Thr Gly 10 15

Phe Ile Leu Glu Ser Asn Leu Thr Asn Val Met Lys Val Val Arg Leu 20 25 30

Phe Ile Lys Cys Pro Cys Leu Trp Gly His Glu Lys Ile His Thr Glu
35 40 45

Ser Ile Lys Asn Val Leu Asn Met Glu Arg Pro Leu Ser Asn Ser Asp 50 60

Val Met Lys Val Val Phe 65 70

<210> 29

<211> 302

<212> PRT <213> Homo sapiens

<400> 29

Met Cys Thr Leu Cys Thr Val Met Lys Ser Gly Asn Gly Arg Gly Glu 1 10 15

Lys Asp Gly His Pro Leu Thr Ser Ser Leu Lys Ile Pro Thr Ala Ser 20 25 30

Gln Gly Ser Ala Pro Cys Arg Ser Lys Val Gly Val Gly Leu Gly Glu
35 40 45

Met Leu Pro Ile Phe Gln Gly Leu Leu Cys Phe Trp Ser Pro Gly Asn 50 55 60

Arg Cys Cys Leu Glu Leu Trp Arg Glu Gly Phe His Pro Ala Pro Thr 65 75 80

Ile Pro Leu Leu Phe His Thr Leu Ala Cys Gly Trp Ser Leu Thr Gly 85 90 95

Leu Val Arg Val Ala Cys Asp Leu Arg Leu Leu Val Pro Gly His Phe 100 110

Trp Asn Phe Gly Lys Met Cys Cys Phe Ala Ser Gly Arg Leu Tyr Leu 115 120 125

val Ala Gly Thr Leu Cys Pro Gln His Thr Phe Phe Cys Asp Ser Arg 130 135 140

Gln Lys Gly Gln Met Gln Lys Gln Asn Gly Gly Lys Ala Val Asp Glu 145 150 155 160

Arg Gln Leu Phe His Gly Thr Ser Ala Ile Phe Val Asp Ala Ile Cys 165 170 175

Gln Gln Asn Phe Asp Trp Arg Val Cys Gly Val His Gly Thr Ser Tyr 180 185 190

Gly Lys Gly Ser Tyr Phe Ala Arg Asp Ala Ala Tyr Ser His His Tyr 195 200 205 NEU-119.P.1, Sequence Listing Ser Lys Ser Asp Thr Gln Thr His Thr Met Phe Leu Ala Arg Val Leu 210 215 220

Val Gly Glu Phe Val Arg Gly Asn Ala Ser Phe Val Arg Pro Pro Ala 225 230 235 240

Lys Glu Gly Trp Ser Asn Ala Phe Tyr Asp Ser Cys Val Asn Ser Val 245 250 255

Ser Asp Pro Ser Ile Phe Val Ile Phe Glu Lys His Gln Val Tyr Pro 260 265 270

Glu Tyr Val Ile Gln Tyr Thr Thr Ser Ser Lys Pro Ser Val Thr Pro 275 280 285

Ser Ile Leu Leu Ala Leu Gly Ser Leu Phe Ser Ser Arg Gln 290 295 300

<210> 30

<211> 31

<212> PRT

<213> Homo sapiens

<400> 30

Met Pro Val Tyr Gly Ile Asn Pro His Leu Thr Phe Gln Pro Ala Ser 1 10 15

Leu Pro Tyr Gly Phe Arg Thr Cys Gln Pro His Asn Ser Leu Lys 20 25 30

<210> 31

<211> 95

<212> PRT

<213> Homo sapiens

<400> 31

Met Leu Ile Glu Asp Val Asp Ala Leu Lys Ser Trp Leu Ala Lys Leu 10 15

Leu Glu Pro Ile Cys Asp Ala Asp Pro Ser Ala Leu Ala Asn Tyr Val 20 25 30

Val Ala Leu Val Lys Lys Asp Lys Pro Glu Lys Glu Leu Lys Ala Phe 35 40 45

Cys Ala Asp Gln Leu Asp Val Phe Leu Gln Lys Glu Thr Ser Gly Phe 50

Val Asp Lys Leu Phe Glu Ser Leu Tyr Thr Lys Asn Tyr Leu Pro Leu Page 22

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Leu Glu Pro Val Lys Pro Glu Pro Lys Pro Leu Ala Gln Glu Lys

<210> 32

<211> 261

<212> **PRT**

<213> Homo sapiens

<400> 32

Met Asp Ser Arg His Thr Phe Ala Pro Ala Ala Met Thr Leu Ser Pro

Leu Leu Leu Phe Leu Pro Pro Leu Leu Leu Leu Leu Asp Val Pro Thr 20 25

Ala Ala Val Gln Ala Ser Pro Leu Gln Ala Leu Asp Phe Phe Gly Asn 35

Gly Pro Pro Val Asn Tyr Lys Thr Gly Asn Leu Tyr Leu Arg Gly Pro

Leu Lys Lys Ser Asn Ala Pro Leu Val Asn Val Thr Leu Tyr Tyr Glu 65 70 75 80

Ala Leu Cys Gly Gly Cys Arg Ala Phe Leu Ile Arg Glu Leu Phe Pro

Thr Trp Leu Leu Val Met Glu Ile Leu Asn Val Thr Leu Val Pro Tyr 100 105

Gly Asn Ala Gln Glu Gln Asn Val Ser Gly Arg Trp Glu Phe Lys Cys 115

Gln His Gly Glu Glu Cys Lys Phe Asn Lys Val Glu Ala Cys Val 130 140

Leu Asp Glu Leu Asp Met Glu Leu Ala Phe Leu Thr Ile Val Cys Met 145 150 160

Glu Glu Phe Glu Asp Met Glu Arg Ser Leu Pro Leu Cys Leu Gln Leu

Tyr Ala Pro Gly Leu Ser Pro Asp Thr Ile Met Glu Cys Ala Met Gly 185 180 190

Asp Pro Gly Met Gln Leu Met His Ala Asn Ala Gln Arg Thr Asp Ala Page 23

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Leu Gln Pro Pro His Glu Tyr Val Pro Trp Val Thr Val Asn Gly Lys 210 215 . 220

Pro Leu Glu Asp Gln Thr Gln Leu Leu Thr Leu Val Cys Gln Leu Tyr 225 230 235 240

Gln Gly Lys Lys Pro Asp Val Cys Pro Ser Ser Thr Ser Ser Leu Arg 245 250 255

Ser Val Cys Phe Lys 260

<210> 33

<211> 21

<212> PRT

<213> Homo sapiens

<400> 33

Met Pro Gly Tyr Arg His Cys Thr Pro Ala Trp Val Thr Glu Arg Asp 1 10 15

Ser Val Ser Glu Lys 20